

This facsimile message and its contents are legally privileged and confidential information intended solely for the use of the addressee. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, copying or other use of this message and its contents is strictly prohibited. If you have received this telecopy in error, please notify us immediately by telephone and return the original message to us at the address shown below via the Postal Service. Thank You.

## ALSTON & BIRD LLP

3201 Beechleaf Court, Suite 600  
Raleigh, NC 27604-1062

919-862-2200  
Fax: 919-862-2260

### TELECOPY

PLEASE DELIVER AS SOON AS POSSIBLE

DATE: September 8, 2003

TO: Examiner Regina DeBerry

FROM: Leslie T. Henry

Re: Appl. No. 09/771,302

Please acknowledge receipt via return facsimile.

NO. OF PAGES: 27  
(Including cover page)

OPERATOR: DE1#3167423

IF NOT RECEIVED PROPERLY, PLEASE NOTIFY ME IMMEDIATELY AT 919-862-2233

USER CODE:	HENRL	FAX NUMBER:	703 872 9306
CLIENT/MATTER:	035784/208771		
REQUESTED BY:	Lynda 2233	VOICE NUMBER:	703 305 6915

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 09/771,302 Confirmation No.: 7656  
Applicant(s): Whitehouse  
Filed: January 26, 2001  
Art Unit: 1647  
Examiner: Regina DeBerry  
Title: ANGIOGENICALLY EFFECTIVE UNIT DOSE OF FGF-2 AND METHOD  
OF USE

Docket No.: 1543.201 (5784-81A)  
Customer No.: 27476  
Customer Representative No.: 00826

September 8, 2003

MAIL STOP NON-FEE AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT  
37 C.F.R. § 1.121

Sir:

Responsive to the Office Action dated May 7, 2003, reexamination and reconsideration of the above-identified application are respectfully requested in view of the following amendments and remarks. The Examiner is respectfully requested to amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims beginning on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.

RTA01/2139357v1